

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

**ROBIN DARNELL,** )  
                                )  
                                )  
                                ) Case No. 2:08CV00066  
**Plaintiff,**              )  
                                )  
                                ) **FINAL JUDGMENT**  
**v.**                         )  
                                )  
                                ) By: James P. Jones  
**COMMISSIONER OF SOCIALSECURITY,** ) Chief United States District Judge  
                                )  
**Defendant.**              )

Based upon the court's de novo review of those portions of the magistrate judge's report and recommendations dated February 26, 2010, to which the plaintiff objected, it is

**ADJUDGED AND ORDERED** as follows:

1.     The plaintiff's objections are overruled;
2.     The magistrate judge's report and recommendations are accepted;
3.     The motion for summary judgment by the Commissioner of Social Security ("Commissioner") is granted;
4.     The final decision of the Commissioner is **affirmed**; and
5.     The clerk is directed to close the case.

ENTER: March 11, 2010

/s/ JAMES P. JONES

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Chief United States District Judge